

OFFICIAL COPY

Fresno, California

May 25, 1999

The City Council met in regular session at the hour of 8:00 a.m. in the Council Chamber, City Hall, on the day above written.

Present:	Tom Boyajian	Councilmember
	Garry Bredefeld	Councilmember
	Chris Mathys	Acting President
	Henry Perea	Councilmember
	Sal Quintero	Councilmember
	Dan Ronquillo	Councilmember
	Ken Steitz	Council President

Jeff Reid, City Manager
Hilda Cantu Montoy, City Attorney
Rebecca Klisch, City Clerk
Yolanda Salazar, Assistant City Clerk

(8:00 A.M.) CLOSED SESSION:

- (A) CONFERENCE WITH LABOR NEGOTIATOR - GOVERNMENT CODE)
SECTION 54957.6 - EMPLOYEE ORGANIZATIONS: IBEW)
- (B) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION -)
GOVERNMENT CODE SECTION 54956.9, M SUBDIVISION (a) - CASE NAMES:)
1. RIVER PARK PROPERTIES V. CITY OF FRESNO AND CITY OF CLOVIS)
 a. RELATED CASE: ROBERT J. ROSATI V. COF AND CITY OF CLOVIS)
2. VERNON NEUMAN V. COF)
3. SCOUT ISLAND INVESTORS V. COF)
4. SUNNYSIDE PROPERTY OWNERS ASSOCIATION AND SUNNYSIDE)
VILLAGE HOMEOWNERS ASSOCIATION V. COF (DAVID OCHOA, REAL)
PROPERTY IN INTEREST))
- C. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION -)
GOVERNMENT CODE SECTION 54956.9, SUBDIVISION (b) - SIGNIFICANT)
EXPOSURE TO LITIGATION:)
1. EWELL ESTATE V. CITY OF FRESNO)
2. RUNYON V. CITY OF FRESNO)

The Council met in closed session in Room 2125 at the hour of 8:05 a.m. to consider the above issues.

(B) CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION -)
GOVERNMENT CODE SECTION 54956.9,M SUBDIVISION (a) - CASE NAMES:)
5. CITY OF FRESNO V. FRESNO PACIFIC TOWERS, ET AL)

Laid over.

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(8:30 A.M. #2) JOINT MEETING WITH THE REDEVELOPMENT AGENCY)

The City Council met in joint session with the Redevelopment Agency at the hour of 8:57 a.m. in the Council Chambers, City Hall, with all members present.

APPROVE AGENCY MINUTES OF MAY 18, 1999)

On motion of Councilmember Perea, seconded by Acting President Mathys, duly carried, RESOLVED, the Agency minutes of May 18, 1999, approved as submitted.

ADOPT AGENCY CONSENT CALENDAR:

(“B”) RESOLUTION NO. 99-131 - APPROVING A ONE-YEAR EXTENSION)
OF THE PROJECT AREA COMMITTEE FOR THE ROEDING BUSINESS PARK)
REDEVELOPMENT PROJECT)

(“C”) APPROVE RESOLUTION NECESSARY TO PROCEED WITH THE)
PLANNING PROCESS FOR THE SOUTH FRESNO INDUSTRIAL REVITA-)
LIZATION REDEVELOPMENT PROJECT)

1. AGENCY RESOLUTION NO. 1537 - ADOPTING THE REPORT TO THE)
CITY COUNCIL AND SUBMITTING THE REPORT ON THE PROPOSED REDE-)
VELOPMENT PLAN TO THE COUNCIL)

(“D”) APPROVE RESOLUTION NECESSARY TO PROCEED WITH THE)
PLANNING PROCESS FOR THE AIRPORT AREA REVITALIZATION)
REDEVELOPMENT PROJECT)

1. AGENCY RESOLUTION NO. 1538 - ADOPTING THE REPORT TO THE)
CITY COUNCIL AND SUBMITTING THE REPORT ON THE PROPOSED REDE-)
VELOPMENT PLAN TO THE COUNCIL)

(“E”) APPROVE RESOLUTION NECESSARY TO PROCEED WITH THE)
PLANNING PROCESS FOR THE SOUTHEAST FRESNO REVITALIZATION)
REDEVELOPMENT PROJECT)

1. AGENCY RESOLUTION NO. 1539 - ADOPTING THE REPORT TO THE)
CITY COUNCIL AND SUBMITTING THE REPORT ON THE PROPOSED REDE-)
VELOPMENT PLAN TO THE COUNCIL)

A motion and second to adopt the Consent Calendar was acted upon after brief discussion with Agency Director Fitzpatrick responding to questions of President Steitz relative to process and ability to amend the plans if business owners have any issues or concerns.

On motion of Acting President Mathys, seconded by Councilmember Perea, duly carried, RESOLVED, the above entitled **AGENCY CONSENT CALENDAR** hereby adopted, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Steitz, Ronquillo
Noes	:	None
Absent	:	None

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The joint bodies adjourned at 9:01a.m. and the City Council convened in regular session at the hour of 9:02 a.m. in the Council Chambers.

Reverend Brad Grams, West McKinley Assembly of God, gave the invocation.

KSEE News Reporter Bob Long led the Pledge of Allegiance to the Flag.

PROCLAMATION OF “FOSTER GRANDPARENT PROGRAM DAY” -)
COUNCILMEMBER RONQUILLO)

PROCLAMATION TO THE TWINING LABORATORIES FOR PARTICIPATING)
IN THE WATER CONSERVATION PROGRAM - COUNCILMEMBER)
RONQUILLO)

PROCLAMATION OF “JOHN TOOMASIAN DAY” - COUNCILMEMBER)
BOYAJIAN)

SURPRISE ADD ON: PROCLAMATION OF BOB LONG DAY AND EARL)
BRADLEY DAY - COUNCILMEMBER QUINTERO)

PROCLAMATION OF “BROWNIE GIRL SCOUT TROOP #399 DAY” -)
COUNCILMEMBER QUINTERO)

COMMENDATION AWARDS TO MALLOCH ELEMENTARY SCHOOL)
STUDENTS FOR RECEIVING STRAIGHT A’S - ACTING PRESIDENT MATHYS)

COMMENDATION AWARD TO ARPI GARCIA FOR WINNING THE CITY OF)
FRESNO SUPREME BABY QUEEN CONTEST - ACTING PRESIDENT MATHYS)

PROCLAMATION OF “MENTOR RECRUITMENT MONTH”)

ADD-ON: RECOGNITION OF WEBSTER ELEMENTARY SCHOOL)
STUDENTS - COUNCILMEMBER PEREA (2 - 0))

The above proclamations and commendations read and presented.

PROCLAMATION TO MCDONALD'S RESTAURANTS FOR PARTICIPATING)
IN THE WATER CONSERVATION PROGRAM)

Removed from the agenda.

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APPROVE COUNCIL MINUTES OF MAY 18, 1999:

The minutes of May 18th approved as submitted.

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APPROVE AGENDA:

(5A) *DIRECT THE CITY MANAGER TO CLOSE THE INTERSECTION OF)
HAZELWOOD AND CALIFORNIA AVENUES TO THROUGH TRAFFIC AND)
COMPLETE AS SOON AS POSSIBLE DUE TO HIGH TRAFFIC OF BIG RIG)
TRUCKS TRAVELING THE RESIDENTIAL STREET - COUNCILMEMBER)
QUINTERO)

(5B) ESTABLISH POLICY WHEREIN CODE ENFORCEMENT OFFICERS)
ARE TO AUTOMATICALLY CHECK WITH THE BUSINESS LICENSE)
DIVISION TO DETERMINE IF BUSINESSES BEING INVESTIGATED HAVE)
CURRENT AND ACCURATE BUSINESS LICENSES ON FILE - COUNCIL-)
MEMBER QUINTERO)

The above entitled Items **5A** and **5B** removed from the agenda at the direction of Councilmember Quintero.

(5E) DIRECT CITY ATTORNEY TO DRAFT AN ORDINANCE USING THE)
CITY OF SAN DIEGO AS A BENCHMARK THAT WILL REQUIRE ALL NEW)
AND USED FIREARMS SOLD IN THE CITY TO BE EQUIPPED WITH A)
TRIGGER LOCK OR OTHER LOCKING DEVICE - COUNCILMEMBER)
BREDEFELD)

Laid over to June 8th at 11:15 a.m. at the direction of Councilmember Bredefeld.

CLOSED SESSION ANNOUNCEMENTS - CITY ATTORNEY)

City Attorney Montoy advised Closed Session Item **B-5**, City of Fresno v. Fresno Pacific Towers, was laid over two weeks; and announced relative to Item **C-2**, Runyon v. City of Fresno, the Council rejected the claim in the amount of \$1.5 million against the Police Department for refusal to issue massage permits, on a 5-0 vote with Councilmember Perea and Ronquillo absent.

On motion of Acting President Mathys, seconded by Councilmember Bredefeld, duly carried, RESOLVED, the **AGENDA** hereby approved, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

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ADOPT CONSENT CALENDAR:

- (1A-3) DETERMINING THAT ABC SERVICE IS NON-RESPONSIVE TO THE SPECIFICATIONS; AND AWARD A ONE-YEAR REQUIREMENTS CONTRACT WITH PROVISIONS FOR TWO ONE-YEAR EXTENSIONS TO PACIFIC PIPELINE SURVEY OF VACAVILLE, CALIFORNIA, IN THE AMOUNT OF \$147,500 FOR SEWER INSPECTION BY CLOSED CIRCUIT TELEVISION)
- (1A-5) *RESOLUTION NO. 99-132 - PROVIDING FOR THE ISSUANCE AND SALE OF 1999-2000 TAX AND REVENUE ANTICIPATION NOTES (TRANS) THEREFOR; AND AUTHORIZE THE CITY MANAGER, CONTROLLER AND CITY CLERK TO EXECUTE THE APPROPRIATE DOCUMENTS, INCLUDING THE OFFICIAL STATEMENT, NOTE PURCHASE AGREEMENT, AND OTHER DOCUMENTS AS NECESSARY TO ISSUE THE TRANS)
- (1A-6) RESOLUTION NO. 99-133 - AUTHORIZING SUBMITTAL OF AND SUPPORT FOR GRANT APPLICATIONS TO PACIFIC BELL FOUNDATION UNDER THE COMMUNITY ENRICHMENT PROGRAM; AND AUTHORIZE THE CITY MANAGER TO EXECUTE ALL NECESSARY DOCUMENTS)
- (1A-8) *RESOLUTION NO. 99-136 - 92ND AMENDMENT TO AAR 98-159 APPROPRIATING \$7,500 OBTAINED FROM FIRST RESPONDER FEES FOR EMERGENCY MEDICAL SERVICES (EMS) RENDERED)
- (1A-9) APPROVE REQUEST FOR CONFLICT OF INTEREST WAIVER FOR BROWN AND PEEL LAW FIRM REGARDING MORALES ET AL V. C CITY OF FRESNO; FRESNO METROPOLITAN FLOOD CONTROL DISTRICT AND MUSTACIOLA V. CITY OF FRESNO)

On motion of Councilmember Perea, seconded by Councilmember Bredefeld, duly carried, RESOLVED, the above entitled **CONSENT CALENDAR** hereby adopted, by the following vote:

Ayes : Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
 Noes : None
 Absent : None

(1A-7) RESOLUTION NO. 99-134 - INITIATING PROCEEDINGS FOR THE)
ANNUAL LEVY OF ASSESSMENTS FOR LANDSCAPING AND LIGHTING)
MAINTENANCE DISTRICT NO. 1)
a. RESOLUTION NO. 99-135 - INTENTION TO LEVY AND COLLECT THE)
ANNUAL ASSESSMENTS FOR LANDSCAPING AND LIGHTING MAIN-)
TENANCE DISTRICT NO. 1)

On motion of Councilmember Perea, seconded by Councilmember Bredefeld, duly carried, RESOLVED, the above entitled **CONSENT CALENDAR** hereby adopted, by the following vote:

Ayes : Boyajian, Bredefeld, Perea, Quintero, Ronquillo, Steitz
 Noes : Mathys
 Absent : None

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The City Council recessed at 9:55 a.m. and the Redevelopment Agency convened in regular session at the hour of 9:56 a.m.

(“A”) HEARING ON FY 1999-2000 BUDGET OF THE REDEVELOPMENT)
AGENCY)
1. AGENCY RESOLUTION NO. 1540 - ADOPTING THE AAR FOR THE FY)
2000 BUDGET OF THE REDEVELOPMENT AGENCY OF THE CITY OF)
FRESNO, AS CORRECTED)

Chair Ronquillo announced the time had arrived to consider the issue and opened the hearing.

Upon call, no one wished to be heard and Chair Ronquillo closed the public testimony portion of the hearing.

Chair Ronquillo stated although the Agency was still “ill” it was beginning to evolve and commended Agency members and staff.

Member Mathys stated he was pleased the Federal Courthouse, Regional Medical Center and Chinatown projects and efforts were moving forward, and requested emphasis be placed on historic preservation commenting on the Santa Fe Depot building.

Motion - Mathys/Ronquillo - Decrease the Mariposa Fund by \$25,000 (\$20,000 from Commercial Rehab and \$5,000 from Administration) to restore the Santa Fe Depot building, with a City match of \$25,000.

Discussion ensued on ownership of the building, funding for the new Amtrak Station and if it would be impacted by the proposed motion, purpose of State funds for the project, restoring the existing building versus constructing the new station, need for a development plan for the depot area from Tulare to Ventura Streets, any plans to renovate the depot building, and purpose/goal in allocating the \$50,000, with City Attorney Montoy, Chair Ronquillo and Director Fitzpatrick responding to questions. Member Perea stated a development plan was needed and he would not support peacemealing.

On motion of Acting President Mathys, seconded by Chair Ronquillo, duly carried, RESOLVED, the Mariposa Fund decreased by \$25,000 (\$20,000 from Commercial Rehab and \$5,000 from Administration) to create a new line item/account entitled "Depot Restoration", by the following vote:

Ayes	:	Boyajian, Mathys, Steitz, Ronquillo
Noes	:	Bredefeld, Perea, Quintero
Absent	:	None

Member Mathys expressed his concern with the proposed \$30,000 allocation for a downtown lake. Member Quintero questioned the number of projects currently in the works and if there were sufficient funds to complete those projects, and commented on the need to prioritize. Member Quintero directed staff schedule the issue of prioritizing Redevelopment Agency projects on the next agenda.

Member Bredefeld stated several project could be supported at one time, commented on the need to look at innovative projects such as the downtown lake emphasizing it would spark private development and enterprise, and stated he hoped it would go to the next level in June.

Acting President Mathys stated his support for prioritizing projects and stated taxpayers would not support \$33 million for a downtown lake.

Motion - Mathys - No funding allocation/expenditures for a proposed downtown lake until actual costs are known.

Chair Ronquillo stated he would not support the motion as funds had to be expended up front to determine costs.

Mr. Fitzpatrick responded to questions of Member Steitz relative to his authority to expend line item dollars without bringing matters back to Council, (**3 - 0**), with Member Steitz requesting a copy of the RDA budget monthly for accountability. Member Boyajian briefly commented on new projects, such as the Clinton/99 Corridor in his district, being as important as projects already in the works stating they all needed to be tied together.

Member Bredefeld expressed his concern with the \$33 million dollar figure that kept coming up for the downtown lake emphasizing it had no meaning and he had yet to see any kind of cost figures, and on "wasting taxpayer funds" citing other private projects and explained. Mr. Fitzpatrick and Chair Ronquillo responded to questions of Member Quintero relative to creating and expending line items with clarification that it was the same process for City departments.

A motion and second to adopt the budget was acted upon after lengthy discussion with Mr. Fitzpatrick and Chair Ronquillo responding to numerous questions of Member Steitz relative to various elements of the budget. Members Boyajian and Quintero briefly left the meeting at 11:05 a.m. Redevelopment Administrator Murphey advised of a technical correction relative to the Merger Two/Southwest Fresno Fund Balance which was so noted.

A motion of Member Perea, seconded by Member Bredefeld, to close debate and call for the question was approved unanimously.

On motion of Member Quintero, seconded by Member Perea, duly carried, RESOLVED, the above entitled Resolution No. 1540 hereby adopted, as corrected, by the following vote:

Ayes	:	Bredefeld, Mathys, Perea, Steitz, Ronquillo
Noes	:	None
Absent	:	Boyajian, Quintero

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The Redevelopment Agency adjourned at 11:15 a.m. and the City Council reconvened in regular session at 11:16 a.m.

(10:00 A.M.) CONTINUED HEARING ON CITY OF FRESNO BUDGET FOR)
FY 2000)

Department of Administrative Services

President Steitz announced the time had arrived to consider the issue and opened the hearing.

Director of Administrative Services Souza noted key staff were present to answer any questions. Councilmember Quintero returned to the meeting at 11:18 a.m. **(4 - 0)** Mr. Souza responded to questions of Acting President Mathys relative to the overall financial position of the City, bonding, how to raise \$6 - \$7 million if necessary, and reason for paying higher interest rates. Acting President Mathys commented on the need for a reserve account and brief discussion ensued.

Motion - Mathys - Establish a reserve/savings account in the amount of \$100,000 seed money (other than the Council infrastructure reserve of \$140,000), with the funding source to be determined by staff.

Brief discussion ensued on the reserve account and determining a funding source. Mrs. Souza and Labor Relations Manager Aguiniga responded to questions of Councilmember Perea relative to staffing and discrimination and grievance complaints. Brief discussion ensued again on the reserve account with Councilmember Bredefeld stating his support and President Mathys clarifying his motion. President Steitz stated restrictions would be necessary as funds would not sit around in a reserve account for very long.

Councilmember Quintero commended the City Manager and staff and made a motion to approve the department's budget.

Councilmember Boyajian stated a reserve was needed to assist with infrastructure when businesses want to locate in Fresno adding this would help deal with the high unemployment rate. City Manager Reid advised a reserve account in the amount of \$300,000 had been set up in the past and did not work out as anticipated and explained, advised staff was sensitive to issues and to what businesses needed, explained how economic development was being addressed in the city, and emphasized the City also had lots of needs of its own to address.

Mr. Souza, Risk Manager Turner and Retirement Administrator McDivitt responded to questions of President Steitz relative to workers comp set aside funds, number and types of claims filed against the City, and increase in Retirement Division and reasons therefor. Councilmember Ronquillo left the meeting at 11:56 and returned after the lunch recess.

On motion of Councilmember Perea, seconded by Acting President Mathys, duly carried, RESOLVED, debate on the issue closed, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Steitz
Noes	:	None
Absent	:	Ronquillo

Public Works Department

Parks, Recreation and Community Services

Development Department

Transportation Department/Fresno Area Express (FAX)

Convention Center

Information Services Department

Department of Public Utilities

City Clerk's Office

City Attorney's Office

City Manager's Office

President Steitz adjourned the budget hearing including the above department budgets to June 8, 1999, at 9:00 a.m.

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LUNCH RECESS - 11:58 A.M. - 1:21 P.M. Councilmember Quintero arrived later.

(1:00 P.M.) CONTINUED HEARING ON INTRODUCTION OF ORDINANCE)
RELATIVE TO THE ZACKY FARMS DEVELOPMENT AGREEMENT)
1. BILL NO. B-39 - (1) REPEALING ORDINANCE NO. 96-58 APPROVING AN)
AGREEMENT WITH ZACKY FARMS, INC. AND OTHERS, AND (2) APPROVING)
A DIFFERENT DEVELOPMENT AGREEMENT WITH ZACKY FARMS, INC. AND)
A RELATED COMPANY TO PROVIDE DEVELOPMENT INCENTIVES FOR)
EXPANDING ITS POULTRY BUSINESS AND INDUSTRIAL FACILITIES IN)
THE CITY OF FRESNO)

President Steitz announced the time had arrived to consider the issue and opened the hearing. Upon call, no one wished to be heard and President Steitz closed the public testimony portion of the hearing.

A motion and second to introduce the ordinance was acted upon after brief discussion with Councilmember Ronquillo expressing his support, and Economic Development Coordinator Webster and Mr. Zacky responding to questions of Councilmember Bredefeld relative to increase in capital improvements and number of additional jobs projected with the expansion.

On motion of Councilmember Ronquillo, seconded by Councilmember Perea, duly carried, RESOLVED, the above entitled Bill No. B-39 introduced before the Council and laid over, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Ronquillo, Steitz
Noes	:	None
Absent	:	Quintero

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(1:15 P.M.)	WORKSHOP RELATING TO THE ENTERPRISE ZONE AND ITS)
	POLICIES)
1.	DIRECT THE CITY MANAGER OR HIS DESIGNEE TO EXTEND ENTER-)
	PRISE ZONE ACREAGE TO HYDRATECH, INC. AT 1133 S. WEST AVENUE -)
	COUNCILMEMBER RONQUILLO)
2.	DIRECT THE CITY MANAGER OR HIS DESIGNEE TO CONSIDER ELI-)
	GIBILITY FOR EXPANSION OF ENTERPRISE ZONE ACREAGE TO EACH)
	OF THE FOLLOWING: - PRESIDENT STEITZ)
a.	CMB INDUSTRIES)
b.	DUNCAN CERAMICS)
c.	THE GAP)
d.	FRESNO HEATING AND PLUMBING)
e.	BILL MARVIN ELECTRIC)
f.	SINBAD SWEETS)
g.	HYDRATECH, INC.)
	<u>(DISCUSSED AGAIN LATER IN THE MEETING)</u>)

Economic Development Coordinator Webster briefly reviewed the staff report as submitted, and noted a policy was being submitted per prior Council direction which would set precedence. Councilmember Quintero arrived at 1:28 p.m.

(5 - 0) Mr. Webster responded to questions of Councilmember Ronquillo relative to balance of acres in abeyance, interest of Guardian Industries, what it would take to extend the enterprise to Hydratech, and locations and acreage sizes of companies “a” through “b” listed above. Councilmember Ronquillo made a motion to direct staff to return with the enabling resolution to extend the enterprise to Hydratech, and stated Council needed to make a decision on policy for future allocations.

Mr. Webster, and Jim Pacini, representing Sinbad Sweets, responded to questions of Councilmember Bredefeld and Acting President Mathys relative to total acreage with the 20% expansion, consequence if pending legislation does not pass, and what Sinbad Sweets would hope to achieve with the designation and their investments so far. Acting President Mathys stated emphasis should be placed on long-standing businesses.

Mr. Webster, City Attorney Montoy and Councilmember Ronquillo responded to questions of Councilmembers Boyajian, Perea and Ronquillo relative to how the acres were increased, when the City could reapply, staff's recommendation and direction, urgency of approving Hydratech this date and amount of acreage involved, legality of making a policy decision this date, how the proposed policy was developed, allocations to Certified Ad and Pleasant Mattress and if those companies were the first two to obtain enterprise designations in the Roeding Business Park area, and acreage involved for enterprise zone connections.

President Steitz made an amendment to the motion to include the remaining businesses listed above (“a” through “f”), which motion died for lack of a second.

On motion of Councilmember Ronquillo, seconded by Councilmember Boyajian, duly carried, RESOLVED, staff directed to return with the enabling resolution to extend the Enterprise Zone to Hydratech, Inc., by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

(*Note: Discussed again and action taken later in the meeting on businesses “a” through “f”)

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RECESS - 1:55 P.M. - 1:58 P.M.

(1:45 P.M.) APPROVE PROPOSED PURCHASE AGREEMENT WITH THE GAP)
RELATED TO 58 ACRES LOCATED AT GAP DRIVE, AIRWAYS BOULEVARD)
AND DAKOTA AVENUE - PRESIDENT STEITZ)
1. DIRECT THE CITY MANAGER TO INITIATE OUTSIDE INDEPENDENT)
APPRAISAL OF THE 60-ACRES OF LAND CURRENTLY BEING OFFERED)
TO THE GAP FOR \$1.00; FOLLOWING COMPLETION OF OBTAINING THE)
APPRAISED LAND VALUE, THE CITY COUNCIL WILL PROVIDE THE CITY)
MANAGER WITH FINANCIAL PARAMETERS TO NEGOTIATE THE SALE)
OF LAND TO THE GAP - COUNCILMEMBER BREDEFELD)

City Manager Reid introduced Dan Girschner, GAP Pacific Distribution Center Manager, and briefly began reviewing the background of the issue, whereupon President Steitz made a motion to approve the agreement, which was later seconded and acted upon.

Speaking in support of the Gap, Inc. and the agreement were: Jim Boone, President/CEO, New England Sheet Metal Works, 2731 S. Cherry; Larry Willey, 5502 W. Mission; Eric Johnson, Chamber of Commerce, 5555 E. Olive; Jerry Miller, President, Jerico Fire Protection Company; and Steve Varner, resident/neighbor of the Gap.

Upon call, no one else wished to be heard and President Steitz closed the public testimony portion of the issue.

Mr. Boone, Economic Development Manager Bayhi, City Manager Reid and Mr. Girschner responded to questions of Acting President Mathys relative to how long New England Sheet Metal had been in business and if they were a signatory contractor, number of Fortune 500 companies that have expressed interest or made offers to locate in Fresno, warehouse and office square footage with total build out, number of new jobs with the expansion, **(6 - 0)** and current number of employees. Acting President Mathys briefly commented on being business friendly, emphasized the Gap had made the biggest investment to the community, and seconded President Steitz' motion.

Mr. Girschner and Mr. Reid responded to questions of Councilmember Bredefeld at length relative to the current number of jobs at the Gap and pay rates, plans/timeline for additional phases, need for four phases, how the 60-acre issue was approached, if any consideration had been given to the Gap paying for the land at a reduced rate, cost to move the ponding basin, language in the agreement relative to minimizing fees imposed by the City, if the subject property had ever been appraised, estimated value of the land, if any other interested companies had been offered the land, and if other entities were involved in agreement negotiations. Councilmember Bredefeld stated he was concerned with fairness and equality with other companies and explained, questioned the policy if this issue moved forward, and reiterated purchasing the land at a reduced cost should have been pursued as a possibility.

Councilmember Ronquillo thanked the Gap for locating their distribution center in Fresno, clarified reasons the subject property had been void of development for 20 years, noted there was equity value in that property, and along with Councilmember Perea presented questions relative to off-site road improvements and costs, providing a passageway on North Avenue from Peach to Clovis, any other add-on improvements that the City would be responsible for, value of the property and tax revenues, improvement costs including transfer and escrow, acreage and employee comparison with Pelco, the 10-year development period, competition, and how negotiations began, with Mr. Reid responding.

Councilmember Perea stated his concern was the lack of a sound policy in dealing with new businesses, recommended the subject issue be delayed two weeks to allow Council to discuss a policy on incentives, made a substitute motion to that effect, **(7 - 0)** and questioned the value of the land and why the property was not included in the list of projects that could be used for collateral for the stadium, with Mr. Reid responding. Upon question, City Attorney Montoy stated substitute motions were not in order and advised an amendment could be offered to the original motion.

A motion of Councilmember Perea, seconded by Councilmember Ronquillo, to end debate and call for the question failed due to the need for a super-majority vote, by the following vote:

Ayes	:	Bredefeld, Perea, Quintero, Ronquillo
Noes	:	Boyajian, Mathys, Steitz
Absent	:	None

Mr. Bayhi responded to questions of President Steitz relative to tools currently in place to help existing businesses expand.

have had an opportunity expand yet he could not even get a second to his motion, and expressed his concern and frustration that Council had been talking for 1½ hours about a Fortune 500 company that would be making a \$300 million investment in Fresno and urged political games not be played.

A motion of President Steitz, seconded by Acting President Mathys to end debate and call for the question failed, by the following vote:

Ayes	:	Mathys, Steitz
Noes	:	Boyajian, Bredefeld, Perea, Quintero, Ronquillo
Absent	:	None

Acting President Mathys directed staff schedule on the next agenda the issue of setting policy on future land gifts, urged Council move forward on this issue citing the economic benefits that would be derived, and emphasized value of the land was never an issue before the Gap came to Fresno.

A motion of Acting President Mathys, seconded by President Steitz to end debate and call for the question failed, by the following vote:

Ayes	:	Mathys, Steitz
Noes	:	Boyajian, Bredefeld, Perea, Quintero, Ronquillo
Absent	:	None

Councilmember Boyajian stated he was not opposed to the deal noting it would provide greatly needed benefits to the community, emphasized consistency and policy was needed based on the Gap and existing businesses adding this did not send a very good message to all the other hard working companies, and requested a delay to look into the policy issue further.

Citing the high unemployment rate, Councilmember Ronquillo challenged the Gap to conclude their development in 5 years instead of 10 with an option to purchase the real estate and explained, and made a motion to amend the contract for a 5-year build out. Acting President Mathys and President Steitz stated their opposition with Acting President Mathys stating it was not Council's role to set policy for the Gap. Upon question of President Steitz, Mr. Bayhi advised 10 years was the minimum the Gap had agreed to.

A motion of Councilmember Ronquillo, seconded by Councilmember Boyajian, to amending the Purchase Agreement for a 5-year build out failed, by the following vote:

Ayes	:	Ronquillo
Noes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Steitz
Absent	:	None

Councilmember Perea stated incentives needed to be worked out and made an amendment to the motion to direct staff to return in two weeks with a comprehensive policy outlining incentives for new and existing businesses with discussions to include the Chamber of Commerce, the Fresno Business Council, EDC and the industrial development community, which President Steitz ruled out of order and inappropriate.

direction to staff relating to setting policy. Mr. Bayhi responded to questions of Councilmember Perea relative to the Gap's completion of Phase 1 obligations, guaranteeing Phases 2 through 5, and competition.

On motion of Councilmember Perea, seconded by Acting President Mathys, duly carried, RESOLVED, debate on the issue closed and a call for the question approved, by the following vote:

Ayes	:	Boyajian, Mathys, Perea, Ronquillo, Steitz
Noes	:	Bredefeld, Quintero
Absent	:	None

On motion of President Steitz, seconded by Acting President Mathys, duly carried, RESOLVED, the amendment to the Purchase and Sales Agreement between the Gap, Inc. and the City of Fresno hereby approved, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Steitz
Noes	:	Ronquillo
Absent	:	None

- - - -

RECESS - 3:33 P.M. - 3:45 P.M.

(3:00 P.M. #2) HEARING ON INTRODUCTION OF A ZONING ORDINANCE)
AMENDMENT UPDATING THE SURFACE MINING AND RECLAMATION)
ORDINANCE - TEXT AMENDMENT NO. TA-99-03)
1. *BILL NO. B-40 - AMENDING THE ZONING ORDINANCE BY UPDATING)
THE CITY OF FRESNO SURFACE MINING AND RECLAMATION ORDI-)
NANCE)
2. SET JUNE 8, 1999, AT 10:30 A.M. FOR HEARING ON THE NEGATIVE)
DECLARATION AND ADOPTION OF THE ORDINANCE)

President Steitz announced the time had arrived to consider the issue and opened the hearing. A motion and second to introduce the ordinance was acted upon after public testimony.

Speaking in support of the issue were: John Buada, Chair, Fresno Chapter of the Fresno Sand and Gravel Producers now known as the Construction Materials Association of California, who also requested Council support the Planning Commission's recommendation to his organization meet with staff for further modifications; and Joni Johnson, Fresno Neighborhood Alliance.

Upon call, no one else wished to be heard and President Steitz closed the hearing.

On motion of Councilmember Bredefeld, seconded by Councilmember Ronquillo, duly carried, RESOLVED, the above entitled Bill No. B-40 introduced before the Council and laid over to June 8, 1999, at 10:30 a.m. for a hearing on the negative declaration and adoption of the ordinance, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
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Noes : None
Absent : None

- - - -

(1:15 P.M.) WORKSHOP RELATING TO THE ENTERPRISE ZONE AND ITS)
POLICIES)
1. DIRECT THE CITY MANAGER OR HIS DESIGNEE TO EXTEND ENTER-)
PRISE ZONE ACREAGE TO HYDRATECH, INC. AT 1133 S. WEST AVENUE -)
COUNCILMEMBER RONQUILLO)
2. DIRECT THE CITY MANAGER OR HIS DESIGNEE TO CONSIDER ELI-)
GIBILITY FOR EXPANSION OF ENTERPRISE ZONE ACREAGE TO EACH)
OF THE FOLLOWING: - PRESIDENT STEITZ)
a. CMB INDUSTRIES)
b. DUNCAN CERAMICS)
c. THE GAP)
d. FRESNO HEATING AND PLUMBING)
e. BILL MARVIN ELECTRIC)
f. SINBAD SWEETS)
g. HYDRATECH, INC.)
(CONTINUED FROM EARLIER IN THE MEETING))

On motion of Councilmember Bredefeld, seconded by Acting President Mathys, duly carried, RESOLVED, reconsideration of the issue hereby approved, by the following vote:

Ayes : Boyajian, Bredefeld, Mathys, Quintero, Steitz
Noes : Perea, Ronquillo
Absent : None

Upon question of Councilmember Bredefeld, Economic Development Coordinator Webster stated he felt it was critical the enterprise designation be extended to the companies because, in addition to being a valuable attraction tool, it was also a valuable retention tool and advised Duncan and CMB were being recruited by other cities and states who were offering incentives to leave. A motion and second to direct staff to return with enabling resolutions to designate companies “a” through “f” was acted upon after brief comments.

Councilmember Ronquillo cautioned Council about expanding the Enterprise Zone stating designations needed to be carefully allocated as they were a very scarce commodity, commented on the Gap and amount of acres involved emphasizing as a Fortune 500 company they were the last ones that needed an enterprise designation, and requested the remaining acres be held in abeyance and evaluate requested allocations on a case-by-case basis as remaining acres could be “eaten up” real quickly. President Steitz expressed his frustration stating comments being made were ridiculous.

On motion of President Steitz, seconded by Acting President Mathys, duly carried, RESOLVED, staff directed to return with enabling resolutions to extend the Enterprise Zone to the above listed businesses (Items “a” through “f”), by the following vote:

133-319
Ayes : Bredefeld, Mathys, Quintero, Steitz

5/25/99

Noes : Boyajian, Perea, Ronquillo
Absent : None

- - - -

**(2:30 P.M.) RESOLUTION NO. 99-137 - REGARDING THE SOLICITATION)
OF DIRECT INTERNATIONAL FLIGHTS TO FRESNO/YOSEMITE INTER-)
NATIONAL AIRPORT, AS AMENDED - PRESIDENT STEITZ)**

President Steitz corrected the resolution to read “non-stop” international flights instead of “direct” flights. A motion and second to adopt the resolution was acted upon after brief discussion.

President Steitz, Joel Nelson, California Citrus Mutual and Advisory Task Force Member, and City Attorney Montoy responded to questions of Councilmembers Boyajian and Ronquillo relative to inspections, **(8 - 0)** lack of a method to deal with pests being the primary reason for the resolution, and how other international airports dealt with the problem. Acting President Mathys stated his support and President Steitz commended the committee for their work.

On motion of President Steitz, seconded by Acting President Mathys, duly carried, RESOLVED, the above entitled Resolution No. 99-137 adopted, as amended, by the following vote:

Ayes : Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes : None
Absent : None

- - - -

(3:00 P.M. #1) CONTESTED CONSENT CALENDAR ITEMS:

**(1A-4) *RESOLUTION NO. 99-138 - AUTHORIZING THE CHIEF OF POLICE)
TO ACCEPT DONATIONS, ENTER INTO AGREEMENTS, AND SIGN)
CONTRACTS SPECIFIC TO THE FORMATION AND ONGOING OPERATION)
OF THE MOUNTED PATROL UNIT (HORSE PATROL))**

Councilmember Boyajian stated his question had been answered advising the unit would patrol Tower District activities such as Mardi Gras.

On motion of Councilmember Boyajian, seconded by Councilmember Quintero, duly carried, RESOLVED, the above entitled Resolution No. 99-138 hereby adopted, by the following vote:

Ayes : Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes : None
Absent : None

- - - -

(1A-1) RESOLUTION NO. 99-139 - APPROVING THE FINAL SUBDIVISION MAP OF TRACT NO. 4514/UGM, PROPERTY LOCATED ON THE SOUTHWEST CORNER OF N. CHESTNUT AND E. ALLUVIAL AVENUES, AND ACCEPTING THE DEDICATED PUBLIC USES THEREIN)

a. *RESOLUTION NO. 99-140 - 93RD AMENDMENT TO AAR 98-159 APPROPRIATING \$42,200 TO ACQUIRE EASEMENTS FROM THE STELLA BROSI FAMILY AND THE ANDREW CASADOS FAMILY NECESSARY FOR THE CONSTRUCTION OF N. CHESTNUT AND E. ALLUVIAL)

b. AUTHORIZE THE DEVELOPMENT DIRECTOR TO EXECUTE THE STATEMENT OF COVENANTS AFFECTING LAND DEVELOPMENT DEFERRING CERTAIN SEWER CONNECTION CHARGES, WATER CONNECTION CHARGES, URBAN GROWTH MANAGEMENT FEES AND DEVELOPMENT FEES TO THE TIME OF ISSUANCE OF CERTIFICATE OF OCCUPANCY AND CREATION OF LIEN AND THE STATEMENT OF COVENANTS AFFECTING LAND DEVELOPMENT FOR RIGHT TO FARM)

c. AUTHORIZE THE PUBLIC WORKS DIRECTOR TO EXECUTE THE SUBDIVISION AGREEMENT AND STATEMENT OF COVENANTS AFFECTING LAND DEVELOPMENT FOR LANDSCAPE MAINTENANCE)

(1A-2) RESOLUTION NO. 99-141 - APPROVING THE FINAL MAP OF TRACT NO. 4431 OF VESTING TENTATIVE TRACT MAP NO. 4431/UGM, LOCATED AT THE SOUTHEAST CORNER OF N. MAPLE AND E. BEHYMER AVENUES, AND ACCEPTING THE DEDICATED PUBLIC USES THEREIN)

a. *RESOLUTION NO. 99-142 - 94TH AMENDMENT TO AAR 98-159 APPROPRIATING \$161,600 FOR THE ACQUISITION OF RIGHT-OF-WAY AND EASEMENTS FOR TRACT NO. 4431 ALONG THE N. SOMMERVILLE DRIVE ALIGNMENT RELATED TO TRACT 4431)

b. AUTHORIZE THE PUBLIC WORKS DIRECTOR TO EXECUTE THE SUBDIVISION AGREEMENT AND THE COVENANT FOR LANDSCAPE MAINTENANCE, AND AUTHORIZE THE DEVELOPMENT DIRECTOR TO EXECUTE THE COVENANTS TO DEFER THE PAYMENT OF SEWER CONNECTION CHARGES, WATER CONNECTION CHARGES, UGM FEES AND CERTAIN DEVELOPMENT FEES))

Supervising Planner Beach and City Attorney Montoy responded to questions of Councilmembers Boyajian and Ronquillo on Item **1A-2** relative to what would be appropriated and dedicated for public uses, if the development would be incorporated into the city when completed, and if the area was in the urban reserve, and relative to Item **1A-2**, if Behymer would be expanded, specifics of Maple and Chestnut Avenues, and correlation with the previously presented Cambridge project.

On motion of Councilmember Boyajian, seconded by Acting President Mathys, duly carried, RESOLVED, the above entitled Resolution Nos. 99-139, 99-140, 99-141 and 99-142 hereby adopted, and staff authorized to execute necessary documents as outlined above, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

- - - -

(2:45 P.M.) APPROVE APPRAISAL OF PROPERTIES TO BE CONSIDERED)
FOR FUNDING THE CITY’S OBLIGATION RELATIVE TO THE MULTI-)
PURPOSE STADIUM TRANSACTION AND RESOLUTION OF OFFICIAL)
INTENT TO REIMBURSE CERTAIN EXPENDITURES FROM PROCEEDS)
OF BOND INDEBTEDNESS - ACTING PRESIDENT MATHYS)
1. *RESOLUTION NO. 99-143 - REIMBURSING CERTAIN EXPENDITURES)
FROM PROCEEDS OF INDEBTEDNESS)
2. *RESOLUTION NO. 99-144 - 95TH AMENDMENT TO AAR 98-159 APPRO-)
PRIATING \$30,000 FOR APPRAISAL SERVICES RELATED TO THE STADIUM)
CONSTRUCTION)

Acting President Mathys reviewed the background of the issue, noted in order for the City to raise in excess of \$7 million City property would be used as collateral, stated a decision needed to be made as to whether Council wanted to expend funds to appraise property, reiterated he did not support mortgaging city assets such as police and fire stations to borrow money for private businesses, stated this issue was different from the Gap project and explained, and stated Council was not elected to risk city funds and a clear policy needed to be set.

Speaking to the issue were: David Wells, opposed to mortgaging city property for the stadium; Jack Emerian, Vice Chair, Fresno Diamond Group, who clarified the City’s commitment would be a grant/loan payback and *not* a gift of funds and urged Council to move forward; and Larry Willey, who stated if the same spirit of cooperation with the Gap had been used for the stadium it would have already been completed.

Discussion ensued with City Manager Reid, Controller Souza and City Attorney Montoy responding to questions of Councilmembers Bredefeld and Ronquillo relative to cost to move the ponding basin for the Gap and if those funds would be bonded/borrowed, why the Gap property was not listed as an available City asset, funding options, and utilizing general fund dollars. Councilmembers Bredefeld, Ronquillo and Boyajian stated their support in moving forward and briefly commented on the issue. President Steitz noted the subject resolutions needed to be adopted to keep the deal moving forward. Councilmember Boyajian urged staff do some creating financing to get the deal done, stressed he was tired of hearing about mortgaging police and fire stations, and made a motion to adopt the resolutions.

On motion of Acting President Mathys, seconded by Councilmember Bredefeld, duly carried, RESOLVED, a call for the question approved and debate on the issue closed, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	None

On motion of Councilmember Boyajian, seconded by Councilmember Ronquillo, duly carried, RESOLVED, the above entitled Resolution Nos. 99-143 and 99-144 hereby adopted, by the following vote:

Ayes	:	Boyajian, Bredefeld, Perea, Quintero, Ronquillo
Noes	:	Mathys, Steitz
Absent	:	None

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RECESS - 4:51 P.M. - 5:05 P.M.

(4:00 P.M.) HEARING TO CONSIDER A CHARTER AMENDMENT WHICH)
WOULD QUALIFY A MARCH 2000 BALLOT MEASURE ALLOWING)
VOLUNTARY WATER METERING FOR SINGLE FAMILY RESIDENCES -)
PRESIDENT STEITZ)
1. *RESOLUTION NO. 99-145 - SUBMITTING A PROPOSED CHARTER)
AMENDMENT TO CITY ELECTORS RELATING TO VOLUNTARY WATER)
METERS)

President Steitz announced the time had arrived to consider the issue, opened the hearing, **(9 - 0)** and briefly reviewed the background of the issue.

Speaking to the issue were: Richard Johanson, President, Fresno Business Council, support; Harvey Garabedian, 6276 N. 3rd, opposed; Greg Goorigian, 2233 Dawson Cove Lane, Clovis, support; Jack Fiorentino, 364 W. San Carlos, San Joaquin Valley Taxpayers Association, opposed; Jeff Harris, Building Industry Association, 3435 W. Shaw, support, who also requested Council pursue mandating meters for new development; Christopher Campbell, Partner at Baker, Manock and Jensen, 5260 N. Palm, specialist in reclamation law and water rights, Chamber of Commerce Water Committee Chair, support; Julianne Bakke, Fresno County Farm Bureau, 1274 W. Hedges, support; and Joni Johnson, Fresno Neighborhood Alliance, support.

A motion and second to adopt the resolution and direct the City Attorney to conduct a legal analysis on the resolution was acted upon after additional discussion.

Dave Saldoski, Director, CSUF Center for Irrigation Technology, spoke in support of water meters.

Upon call, no one else wished to be heard and President Steitz closed the public testimony portion of the hearing.

Water Systems Manager McIntyre responded to questions of Councilmember Ronquillo relative to how much of the watershed goes to the city and urban areas, getting the agricultural industry on line with conservation, costs to deliver water to city residents, decrease in rates, fixed rates, and conserving to the lowest threshold and who would pay. Councilmember Ronquillo stated he would not support meters until better parameters were set up and explained.

Councilmember Boyajian stated he supported mandatory meters for new development and would schedule that issue at a later time.

(10 - 0) On motion of Councilmember Perea, seconded by Councilmember Boyajian, duly carried, RESOLVED, a call for the question approved and debate on the issue hereby closed, by the following vote:

Ayes : Boyajian, Bredefeld, Mathys, Perea, Quintero, Ronquillo, Steitz
Noes : None
Absent : None

On motion of President Steitz, seconded by Councilmember Boyajian, duly carried, the above entitled Resolution No. 99-145 hereby adopted, and the City Attorney directed to conduct a legal analysis of the resolution and return with any corrections or revisions by June 15, 1999, by the following vote:

Ayes : Boyajian, Bredefeld, Perea, Quintero, Steitz
Noes : Mathys, Ronquillo
Absent : None

A motion of Councilmember Boyajian to direct staff to return with a ballot measure for mandatory meters for new development died due to lack of a second. Councilmembers Bredefeld briefly left the meeting at 5:54 p.m. and Councilmember Perea left and was absent for the remainder of the meeting.

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(3A) ADOPTION OF THE 1998 CALIFORNIA BUILDING COMMISSION)
STANDARDS CODES, AS AMENDED, ALONG WITH THE “MODEL CODES”)
INCLUDING THE 1997 UNIFORM BUILDING CODE, THE 1997 UNIFORM)
MECHANICAL CODE, THE 1997 UNIFORM PLUMBING CODE AND THE)
1996 NATIONAL ELECTRICAL CODE)
1. RESOLUTION NO. 99-146 - AFFIRMING THE EXPRESS FINDINGS FOR)
MODIFICATIONS TO THE 1998 CALIFORNIA BUILDING CODE, 1998)
CALIFORNIA MECHANICAL CODE, 1998 CALIFORNIA PLUMBING CODE,)
AND 1998 CALIFORNIA ELECTRICAL CODE AS REFERENCED IN THE 1998)
CALIFORNIA BUILDING STANDARDS CODES CONTAINED IN THE CITY)
OF FRESNO BUILDING CODE)
2. *BILL NO. B-37 - ORDINANCE NO. 99-34 - REPEALING DIVISIONS 1, 2, 3,)
4 AND 5 AND RE-ENACTING DIVISIONS 1, 2, 3 AND 4 OF ARTICLE 1,)
CHAPTER 13 OF THE FRESNO MUNICIPAL CODE)

(3B) RESOLUTION NO. 99-147 - AFFIRMING THE EXPRESS FINDINGS FOR)
MODIFICATIONS TO THE UNIFORM FIRE CODE)
1. *BILL NO. B-38 - ORDINANCE NO. 99-35 - REPEALING AND RE-ENACTING)
ARTICLE 7 OF CHAPTER 9 OF THE FRESNO MUNICIPAL CODE RELATING)
TO FIRE PREVENTION (ADOPTING THE 1997 UNIFORM FIRE CODE AS)
AMENDED BY THE 1998 CALIFORNIA FIRE CODE AS FURTHER AMENDED))

A motion and second to adopt the above entitled resolutions and ordinances was acted upon after brief discussion.

Joni Johnson, Fresno Neighborhood Alliance, requested the matters be laid over to the next meeting for further review by FNA.

A motion and second to postpone was made with City Manager Reid urging the matters be acted upon due to a deadline in which State law would override with a possible loss of the City's amendments. City Attorney Montoy advised the ordinances could be adopted this date with amendments.

Ms. Johnson spoke to the issue requesting language changes and outlying concerns with various ordinance provisions at length, whereupon President Steitz recommended Ms. Johnson submit her proposed amendments in writing and he would present them to staff for consideration and an analysis. Councilmember Bredefeld returned to the meeting at 6:07 p.m.

On motion of Acting President Mathys, seconded by President Steitz, duly carried, RESOLVED, a call for the question approved and debate on the issue hereby closed, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	Perea

On motion of Acting President Mathys, seconded by Councilmember Ronquillo, duly carried, RESOLVED, the above entitled Resolution Nos. 99-146 and 99-147 hereby adopted; and the above entitled Bill Nos. B-37 and B-38 adopted as Ordinance Nos. 99-34 and 99-35, by the following vote:

Ayes	:	Boyajian, Bredefeld, Mathys, Quintero, Ronquillo, Steitz
Noes	:	None
Absent	:	Perea

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(5C) APPROVE REAPPOINTMENT OF SYLVIA MEHAS TO THE)
COMMISSION ON THE STATUS OF WOMEN - COUNCILMEMBER)
BOYAJIAN (FOR ADOPTION))

(5D) PROPOSED APPOINTMENT OF PATRICK PITTARELLI TO THE)
TOWER DISTRICT DESIGN REVIEW COMMITTEE - COUNCILMEMBER)
BOYAJIAN (FOR INTRODUCTION))

(5F) DIRECT THE CITY MANAGER TO COMPLETE AN ESTIMATE TO)
RE-LANDSCAPE FIRE STATION NO. 14 AND RETURN TO COUNCIL)
WITHIN 15 DAYS - ACTING PRESIDENT MATHYS)

(5G) DISCUSS ALLOCATION OF \$280,000 FOR THE ADDITION/EXPANSION)
OF HOMEWORK CENTERS IN THE FRESNO UNIFIED SCHOOL DISTRICT -)
COUNCILMEMBER PEREA)

(5H) APPROVE LOCAL PREFERENCE FOR FORMAL BIDS FOR PURCHASE)
OF MATERIALS, SUPPLIES AND EQUIPMENT (COUNCILMEMBER PEREA))
1. *BILL - AMEND THE FRESNO MUNICIPAL CODE RELATING TO LOCAL)
PREFERENCE (ALTERNATE 1))
2. *BILL - (ALTERNATE 2))

On motion of Acting President Mathys, seconded by Councilmember Bredefeld, duly carried, RESOLVED, the above entitled City Council Items **5C, 5D, 5F, 5G** and **5H** laid over to June 15, 1999, by the following vote:

Ayes : Boyajian, Bredefeld, Mathys, Quintero, Ronquillo, Steitz
Noes : None
Absent : Perea

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(5:00 P.M.) CONTINUED HEARING ON TEXT AMENDMENT NO. TA-97-09)
PROPOSING CHANGES TO THE FRESNO MUNICIPAL CODE CHAPTER 12,)
ARTICLE 2, RELATING TO ADVERTISED STRUCTURES - BILLBOARDS)
1. *BILL NO. B-90 - ALTERNATIVE NO. 1 (PROPOSED BY THE ADVERTIS-)
ING INDUSTRY))
2. *BILL NO. B-91 - ALTERNATIVE NO. 2 (PROPOSED BY STAFF))

President Steitz announced the time had arrived to consider the issue and opened the hearing. Councilmember Ronquillo advised he would have to leave shortly to catch a flight.

Supervising Planner Beach reviewed the background and status of the issue and recommended adoption of Alternative No. 2 stating it would clean up the code by more clearly setting forth the difference between advertising structures and signs.

Mark Scozzari, representing the outdoor advertising industry, briefly reviewed the background of the issue, stated there had been a lot of misinformation and scare tactics used to manipulate some of the facts and gave an example relative to CUP's, and expressed his frustration and requested the issue be withdrawn at this time. A motion and second to postpone the issue indefinitely was made and acted upon after brief discussion.

Upon call, no one else wished to be heard and President Steitz closed the public testimony portion of the hearing.

On motion of Councilmember Boyajian, seconded by Acting President Mathys, duly carried, RESOLVED, a call for the question approved and debate on the issue closed, by the following vote:

Ayes : Boyajian, Mathys, Quintero, Ronquillo, Steitz
Noes : Bredefeld
Absent : Perea

Councilmember Bredefeld questioned when the issue could be brought back to Council with Assistant City Attorney Avila advising of the process.

On motion of Councilmember Boyajian, seconded by Councilmember Quintero, duly carried, RESOLVED, Text Amendment No. TA-97-09 relating to advertising structures postponed indefinitely, by the following vote:

Ayes	:	Boyajian, Mathys, Quintero, Ronquillo, Steitz
Noes	:	Bredefeld
Absent	:	Perea

UNSCHEDULED ORAL COMMUNICATIONS

APPEARANCE BY BARBARA HUNT REGARDING VARIOUS ISSUES)

Appearance made.

ADJOURNMENT)

There being no further business to bring before the Council, the hour of 6:20 p.m. having arrived and hearing no objections, President Steitz declared the meeting adjourned.

DATED this _____ day of _____ 1999.

_____	ATTEST: _____
Ken Steitz, Council President	Yolanda Salazar, Assistant City Clerk

